

ability, and made himself a power in the political affairs of his Commonwealth and of the nation. From the plow to the university, and from his alma mater to an enviable position as a shining light in that profession which has given jurists and statesmen to the world, are achievements of which the most favored may well be proud, and are evidences of that innate and inherited Anglo-Saxon grit which has given free institutions to the human race.

My relations with Mr. TONGUE were always cordial and friendly. I enjoyed his friendship for a quarter of a century. I knew him at the bar, and I knew him as a legislator. As I knew Mr. TONGUE he was a man of simple habits, unostentatious and of modest demeanor. While entertaining strong and positive opinions upon all public questions, and well able to intelligently and forcibly debate them, he preferred that others should engage in the lists, and avoided forensic contests unless he was specially called upon to enter the arena. For this reason he did not often appear in the discussions of the House; but when he did he was clear, earnest, and direct in the presentation of his views, and in debate was always an impressive speaker.

Mr. TONGUE was a native of England, where he was born June 23, 1844. He attended the schools of his native land until he reached the age of 15 years, when his parents emigrated to Washington County, Oreg., taking with them their only child, THOMAS H. TONGUE. The family located on a farm near Hillsboro, in that State, and there young TONGUE resided, working on the farm when not attending school or college, until he arrived at man's estate. He had had fairly good advantages in the English schools and as soon as he arrived in Oregon he worked incessantly to acquire a finished education. He determined to take a college course, but owing to financial difficulties he succeeded only after surmounting many obstacles in realizing his ambition, and then only by working his way through college. Upon receiving his degree he read law, and in due time was admitted to the bar. He at once actively entered upon and continued in the practice of his profession until his death, interrupted only by his temporary absence from home attending the sessions of the several Congresses of which he was a member. He was very much attached to the study of law and was peculiarly fitted for the practice of the profession, in which he won marked distinction. He rapidly built up a large and lucrative business, and it was a common saying that Mr. TONGUE was on one side or the other of every important cause in the county and circuit in which he practiced.

Mr. TONGUE did not enter political life until after he had made a reputation as a lawyer. Aside from his Congressional career the only political office held by him was a term of four years in the Oregon State senate. It was my privilege to serve with him as a member of that body, and I then learned to know and appreciate the character and ability of our deceased friend. His work as impressed upon the acts of the legislature of Oregon stand as a monument to the care, industry, and ability displayed by him while serving in that body.

In 1896 he was elected to the Fifty-fifth Congress and was re-elected to each succeeding one, including the Fifty-eighth, and always by increased pluralities. As a member of the House he was indefatigable in working for Oregon, and during the six years in which he served in Congress he never lost an opportunity to advance the interests of his district or State. As a member of the Rivers and Harbors Committee of the House he was in position to materially serve every section of the State, and was an influential factor in securing much-needed appropriations for the rivers and harbors of Oregon. In national affairs, although strongly attached to his party, his judicial mind and mental discipline in the intricate questions of law made him an earnest and successful legislator.

Mr. TONGUE loved and faithfully served the people of his district, and, as a reward for the faithful performance of his duty, they loved him and delighted to honor him. No stronger evidence of this fact can be produced than the constantly increasing vote given him in his successive elections to the House.

The sad and untimely death of Mr. TONGUE was a great shock to his friends and constituency, and an irretrievable loss to his family and colleagues. But while we recount his virtues with deep regret for his untimely demise, there are sadder thoughts in the minds and more darkened chambers in the hearts of a faithful wife and loving children who mourn his departure. An affectionate husband has been stricken down by the reaper, Death, and a loving father has fallen a victim to the pale horse and its rider.

Our friend has gone before, but his good deeds, his upright life, his faithfulness in the performance of all duties, and the influence of his kindly smile will ever be remembered by those with whom he came in contact.

None knew him but to love him;
None loved him but to praise.

Life is not measured by the flight of years, but by great actions and grand achievements. Mr. TONGUE won victories after hard-fought battles, when he left the plow for the college, when he succeeded in the profession of law, and last, but perhaps the greatest, when his name was placed on the roll call of the Congress of the United States, the most popular and renowned deliberative body in the world. These are milestones in his eventful career which will be rehearsed by loving hearts for long years to come.

In his relations to his Creator he was devout and sincere; as a husband, tender and affectionate; as a father, wise and loving; as a citizen, earnest and patriotic, and as a friend, firm and faithful. To sum up his well-rounded character in a single sentence, he worshiped God and loved his fellow-man. For such there is no oblivion. The "pictures hung on memory's walls" grow brighter with the lapse of years, and love entwines each act and achievement with fresh garlands as the months melt into years and the years melt into decades.

There is no death. What seems so is transition;
This life of mortal breath
Is but a suburb of the life elysian,
Whose portal we call death.

Mr. President, I ask for the adoption of the resolutions offered by my colleague.

The resolutions were unanimously agreed to; and (at 1 o'clock and 57 minutes p. m.) the Senate adjourned until Monday, March 2, 1903, at 11 o'clock a. m.

HOUSE OF REPRESENTATIVES.

SUNDAY, March 1, 1903.

[Continuation of legislative day of February 26, 1903.]

The recess having expired, the House, at 12 o'clock noon, was called to order by the Speaker.

Mr. RICHARDSON of Tennessee. Mr. Speaker, this being Sunday, I make the point of no quorum present. I have examined the Calendar and there are no election contests ready by which a Democrat can be ousted without a quorum.

The SPEAKER. The Chair will count. [After counting the House.] One hundred and forty-nine members present—not a quorum.

Mr. PAYNE. I move a call of the House.

The SPEAKER. The question is on the motion of the gentleman from New York, who moves a call of the House.

The motion was agreed to.

The SPEAKER. A call of the House is ordered. The doors will be closed and the officers will bring in the absentees. The Clerk will call the roll.

The roll was called, when the following members failed to answer to their names:

Ball, Tex.	Gardner, Mass.	McCulloch,	Scarborough,
Bellamy,	Glass,	McDermott,	Shafroth,
Belmont,	Glenn,	McLain,	Shallenberger,
Billmeyer,	Gooch,	Mahoney,	Shelden,
Bingham,	Gordon,	Maynard,	Sheppard,
Blakeney,	Green, Pa.	Meyer, La.	Skiles,
Bowie,	Griffith,	Mickey,	Smith, Wm. Alden
Brantley,	Griggs,	Miers, Ind.	Spight,
Breazeale,	Hanbury,	Morgan,	Stevens, Minn.
Bristow,	Haskins,	Mutchler,	Stewart, N. J.
Broussard,	Henry, Miss.	Naphe,	Stewart, N. Y.
Burnett,	Hooker,	Neville,	Swann,
Cochran,	Jack,	Newlands,	Swanson,
Conry,	Jackson, Md.	Norton,	Talbert,
Cousins,	Jett,	Patterson, Tenn.	Thayer,
Davey, La.	Kehoe,	Perkins,	Thomas, N. C.
Davis, Fla.	Ketcham,	Pierce,	Thompson,
Dinsmore,	Kleberg,	Pou,	Vandiver,
Dougherty,	Knox,	Prince,	Wanger,
Driscoll,	Lassiter,	Pugsley,	Wheeler,
Edwards,	Latimer,	Randell, Tex.	Williams, Miss.
Feely,	Lawrence,	Ransdell, La.	Wilson,
Finley,	Lewis, Ga.	Reid,	Wooten,
Fleming,	Lindsay,	Rixey,	Zenor.
Foerderer,	Little,	Robinson, Nebr.	
Foster, Ill.	Littlefield,	Rucker,	
Fox,	McAndrews,	Ruppert,	
Gaines, Tenn.	McClellan,	Ryan,	

The SPEAKER. On this call 240 have answered. There is a quorum present. The officers will open the doors.

ORDER OF BUSINESS.

Mr. McCLEARY. Mr. Speaker—

Mr. RICHARDSON of Tennessee. Mr. Speaker, a parliamentary inquiry. Was a call of the House ordered? And what was the vote on it?

The SPEAKER. A call of the House was ordered before, and this is the call made in pursuance of that order, which has shown a quorum.

Mr. McCLEARY. I desire to present a conference report.

Mr. UNDERWOOD. I demand the regular order, and on that I make this point of order—

The SPEAKER. The regular order is the presentation of the conference report.

Mr. UNDERWOOD. But I make this point of order, Mr. Speaker, that a call of the House was not ordered for the purpose of bringing a quorum here. It was ordered for the purpose of bringing in absentees, and the call of the House has not been dispensed with. And until the call of the House has been dispensed with it is the duty to complete that call by bringing in the absentees.

The SPEAKER. A conference report has been held in order even pending a motion for a call of the House, that being a case when the absence of a quorum had not been ascertained. A quorum has been ascertained in this case, and the conference report is of the highest privilege and may be presented.

Mr. UNDERWOOD. Exactly. A quorum has been ascertained here.

The SPEAKER. A quorum has been ascertained, and the conference report is called up. The Chair will have to overrule the point of order.

Mr. UNDERWOOD. Then another parliamentary inquiry. When the conference report is disposed of, the regular order will then continue to be the call of the House?

The SPEAKER. The Chair will answer that when the time comes. The Chair can not anticipate what will then be the regular order. [Applause on the Republican side.] The gentleman from Minnesota presents a conference report, which will be read by the Clerk.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. PARKINSON, its reading clerk, announced that the Senate had passed with amendments bill of the following title, in which the concurrence of the House was requested:

H. R. 11572. An act for the relief of certain settlers upon Wisconsin Central Railroad and The Dalles military road land grants.

The message also announced that the Senate had passed without amendment bills of the following titles:

H. R. 14384. An act to establish a life-saving station at the mouth of Black River, at or near the city of Lorain, in the State Ohio; and

H. R. 15243. An act to authorize the President of the United States to appoint Kensey J. Hampton captain and quartermaster in the Army.

The message also announced that the Senate had passed bill of the following title; in which the concurrence of the House was requested:

S. 7368. An act to incorporate the American National Institute (Prix de Paris) at Paris, France.

DISTRICT OF COLUMBIA APPROPRIATION BILL.

Mr. McCLEARY. Mr. Speaker, I present the conference report on the District of Columbia appropriation bill, and ask unanimous consent that the statement be read in lieu of the report.

The SPEAKER. The gentleman asks unanimous consent that the statement be read instead of the report.

Mr. RICHARDSON of Tennessee. It has not been printed in the RECORD, and it will have to be read. I object.

The SPEAKER. The gentleman objects. The Clerk will read both the report and the statement.

Mr. GILBERT. Mr. Speaker, a parliamentary inquiry. Is it in order now to move to have the RECORD corrected in reference to a roll call?

The SPEAKER. The conference report is up, and that is a higher question.

Mr. GILBERT. I ask unanimous consent—

The SPEAKER. It is not in order now. The Clerk will proceed.

Mr. UNDERWOOD. Mr. Speaker, I rise to a point of order. The SPEAKER. The gentleman will state it.

Mr. UNDERWOOD. I insist, Mr. Speaker, that the order of this House for a call of the House has not been dispensed with, and the doors of this House have no right to be opened.

The SPEAKER. The Chair has already settled that question. The Chair does not raise the question as to whether the call should be dispensed with—

Mr. UNDERWOOD. The point of order I make is that this House, not the Speaker, ordered a call of the House, and in compliance with that the Speaker ordered the doors of this House closed. Now, that call has not been dispensed with.

Mr. RICHARDSON of Tennessee. And the doors should be closed.

Mr. UNDERWOOD. The doors should be closed.

The SPEAKER. The Chair will order the doors closed, if the gentleman demands it.

Mr. UNDERWOOD. We demand it.

The SPEAKER. But the call of the House can not dispense with this conference report. The officers will close the doors. [Applause on the Democratic side.] The Clerk will proceed with the reading.

The Clerk read the conference report.

[For text of the conference report see page 2802.]

The Clerk read the statement of the House conferees, as follows:

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 16842) making appropriations for the expenses of the government of the District of Columbia, submit the following written statement in explanation of the effect of the action agreed upon and recommended in the accompanying conference report on each of the Senate amendments, namely:

On Nos. 1, 2, 3, and 4: Appropriates \$2,400 for temporary employment of assistant inspectors of buildings; for 2 additional civil engineers or computers, at \$1,500 each, and for 1 clerk, at \$1,000 instead of \$900.

On Nos. 5, 6, and 7: Strikes out proposed increase in the salary of the assessor from \$3,500 to \$4,000, and appropriates \$500 instead of \$1,000 for temporary clerk hire in the assessor's office.

On Nos. 8 and 9: Strikes out proposed increase of the salary of the deputy collector from \$1,800 to \$2,000.

On Nos. 10 and 11: Strikes out proposed increase in the salary of the auditor from \$3,600 to \$4,000.

On Nos. 12, 13, and 14: Increases the salaries of the engineer of highways and the superintendent of sewers from \$2,750 to \$3,000 each.

On Nos. 15, 16, 17, 18, and 19: Strikes out proposed increase in the salary of the superintendent of insurance from \$2,500 to \$3,000; provides for a statistician, at \$1,400, in the department of insurance; strikes out increase of \$200 in the salary of one clerk, and appropriates \$600, instead of \$1,200 as proposed by the Senate, for temporary clerk hire.

On Nos. 20 and 21: Appropriates \$15,200, instead of \$13,000 as proposed by the House, and \$20,000 as proposed by the Senate, for employees in the surveyor's office.

On Nos. 22, 23, 24, and 25, relating to the Free Public Library: Provides, additional to what was proposed by the House, 1 attendant, at \$360, and 2 pages, at \$240 each.

On Nos. 26 and 27: Appropriates \$37,700, instead of \$30,000 as proposed by the House, for contingent expenses.

On Nos. 28 and 29: Appropriates \$840, instead of \$540, for rent for department of insurance.

On No. 30: Appropriates \$1,500, instead of \$1,200 as proposed by the House, and \$2,000 as proposed by the Senate, for contingent expenses of the corner's office.

On No. 31: Appropriates \$1,500 for marking the boundary of the District.

On No. 32: Appropriates \$2,500 for card index for the office of the register of wills.

On No. 33: Strikes out \$500 to prepare index to the code of the District.

On No. 34: Strikes out \$500 for printing permit books and other forms.

On No. 35: Strikes out provision granting thirty days' leave of absence to per diem employees.

On No. 36: Appropriates \$160,000, instead of \$145,000 as proposed by the House, and \$175,000 as proposed by the Senate, for assessment and permit work.

On Nos. 37, 38, 39, 40, 41, 42, and 43: Appropriates \$100,000, instead of \$50,000 as proposed by the House, and \$150,000 as proposed by the Senate, for work on streets and avenues in the various sections of the city; strikes out \$14,600 for paving S street NW, from North Capitol to Second street, and inserts a provision requiring the Commissioners, in submitting schedules of streets and avenues to be improved each year, to arrange the same in the order of their importance.

On Nos. 44 and 45: Limits the price that may be paid for the two kinds of asphalt pavement to \$1.80 and \$2, respectively, instead of \$1.70 and \$1.80, respectively, as proposed by the House.

On No. 46: Appropriates \$10,000, instead of \$8,000 as proposed by the House for grading streets, alleys, and roads.

On No. 47: Appropriates \$1,000 for condemnation of streets, roads, and alleys.

On No. 48: Appropriates \$25,000, instead of \$10,000 as proposed by the House, for opening alleys.

On Nos. 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, and 69: Appropriates \$135,000, instead of \$54,500 as proposed by the House, and \$248,200 as proposed by the Senate, for construction of county roads and suburban streets. As compared with the bill as it passed the House, the following provisions for new work on roads and suburban streets are made:

For Rhode Island avenue, Florida avenue toward First street, \$10,000;
For Sixteenth street, Columbia road to Spring road, \$25,000;
For Sixteenth street, Morris street to Columbia road, \$25,000;
For Twenty-second street, R to Decatur streets, \$2,500;
For California avenue, Columbia road to Phelps place, \$6,000;
For Wisconsin avenue, \$6,000;
For Kansas avenue, \$2,000;
For Twentieth street, Queens chapel to Brentwood road, \$5,000; and
For Connecticut avenue extended, \$5,000.

On No. 70: Strikes out appropriation of \$18,664 to purchase land to extend Euclid place.

On Nos. 71 and 72: Appropriates \$90,000, instead of \$80,000 as proposed by the House, and \$100,000 as proposed by the Senate, for repairs of county roads.

On No. 73: Appropriates \$48,000 for continuing work on the Connecticut avenue bridge, and limits the whole cost of the bridge to \$788,000, under contracts which are authorized, and requires its completion within four years from July 1, 1903.

On Nos. 74, 75, 76, 77, and 78, relating to sewers: Appropriates, additional to the amounts contained in the bill as it passed the House, for the sewage-disposal system, the sum of \$450,000, the same being in accordance with estimates prepared by the Commissioners subsequent to the passage of the bill by the House and on the representation that the sewage-disposal system of the District can and will be completed on the basis of the appropriations recommended in two years instead of three years.

On No. 79: Appropriates \$190,000, as proposed by the House, instead of \$200,000, as proposed by the Senate, for sprinkling, sweeping, and cleaning streets.

On No. 80: Makes the appropriation for the bathing beach available for the expense of maintenance and repair.

On Nos. 81, 82, and 83, relating to the electrical department: Appropriates

\$15,000, instead of \$14,000 as proposed by the House, for general supplies; \$23,950, instead of \$18,950 as proposed by the House, for placing electric wires under ground, and \$10,000, instead of \$7,500 as proposed by the House, and \$15,000, as proposed by the Senate, for rebuilding police patrol circuits.

On Nos. 84, 85, 86, 87, 88, 89, 90, and 91, relating to gas lighting: Appropriates \$209,000, instead of \$200,000 as proposed by the House, and \$219,700 as proposed by the Senate, for gas lighting of streets; limits the cost of lighting streets with oil to \$24 per lamp per annum as proposed by the Senate, instead of \$20 as proposed by the House; requires that the gas company shall bear the expense of purchasing, erecting, and maintaining lamp-posts, street designations, lanterns, and fixtures; authorizes the use of not more than \$15,000, as proposed by the House, instead of \$25,000 as proposed by the Senate, for Welsbach street lamps, to cost not exceeding \$28 per lamp, instead of \$27 as proposed by the House, and \$30 as proposed by the Senate; and continues for another year, as proposed by the Senate, the provision authorizing the reduction of the candle power of gas from 25 candles to 22 candles.

On Nos. 92 and 93: Appropriates \$80,000, instead of \$76,000 as proposed by the House, and \$82,500 as proposed by the Senate, for electric arc lighting of streets, and limits the cost per lamp to \$80, instead of \$72 as proposed by the House, and \$85 as proposed by the Senate.

On Nos. 94 and 95: Appropriates \$600,000 as proposed by the House, instead of \$500,000 as proposed by the Senate, for continuing work on the filtration plant, and extends the limit of cost of said work from \$2,768,405 to \$3,468,405.

On No. 96: Strikes out the appropriation of \$8,000 for survey for additional conduit from Great Falls.

On No. 97: Appropriates \$12,000, instead of \$2,500 as proposed by the House, and \$20,000 as proposed by the Senate, for Rock Creek Park.

On Nos. 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, and 129, relating to public schools: Strikes out a clerk at \$900 for the board of education; provides for the number of salaries and teachers as proposed by the House, except that provision is made for one additional supervising principal at \$2,000; leaves in the bill the restriction of pupils in night classes to those not over 21 years of age; appropriates \$5,500, instead of \$4,676 as proposed by the House, for care of small school buildings and rented rooms; provides for 12 medical inspectors of public schools at \$500 each; appropriates \$17,500, instead of \$15,000 as proposed by the House, and \$20,000 as proposed by the Senate, for tools and material for manual training; appropriates \$35,000, instead of \$38,000, for contingent expenses for Business High School building to \$175,000 as proposed by the House, instead of \$265,000 as proposed by the Senate; strikes out appropriations of \$5,000 for purchase of lot adjoining McKinley Manual Training School, of \$50,000 toward the extension of the McKinley Manual Training School, and \$3,933 for purchase of lot adjoining Armstrong Manual Training School; limits the cost of 2 additional 8-room buildings to \$60,000 as proposed by the House, instead of \$65,000 as proposed by the Senate, and appropriates \$8,300 for purchase of lot adjoining Brent School building, and \$10,000 for additional amount for reconstructing building at Seventh and G streets SE.

On Nos. 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, and 142, relating to the Metropolitan police: Appropriates \$4,000 for salary of the major and superintendent; provides for compensation of 6 additional privates detailed for special service; provides for 5 additional privates of class 2, at \$1,080 each; fixes the compensation of 40 additional privates of class 1 at \$720 each as proposed by the House, instead of \$780 each as proposed by the Senate; strikes out increase of compensation of 24 station keepers from \$840 each to \$960 each; strikes out the appropriation of \$800 for roadway and protection wall along the east side of seventh precinct station, and \$12,500 for remodeling rooms in certain precinct station houses; and appropriates \$9,000 as proposed by the Senate, instead of \$8,000 as proposed by the House, for the house of detention.

On Nos. 143, 144, 145, 146, 147, 148, 149, 150, 151, and 152, relating to the fire department: Requires, as proposed by the House, that the chief engineer of the fire department shall have had at least five years' experience as a member of some organized municipal fire department, and strikes out proposed increase of \$300 in the salary of one assistant chief engineer; appropriates \$8,500, instead of \$7,500 as proposed by the House and \$10,000 as proposed by the Senate, for repairs and improvements to engine houses and grounds; \$5,000, instead of \$4,500 as proposed by the House and \$3,000 as proposed by the Senate, for fuel; \$13,000, instead of \$12,000 as proposed by the House and \$14,000 as proposed by the Senate, for forage; and strikes out the appropriation of \$23,000 for house and furniture for a chemical engine company in Benning.

On Nos. 153, 154, 155, 156, 157, 158, 159, 160, 161, and 162, relating to the health department: Strikes out the proposed increase of \$200 each in the salaries of the chemist and veterinarian surgeon and inspector of live stock and dairy farms; strikes out \$720 for an assistant poundmaster; increases the amount for traveling expenses for sanitary and food inspectors from \$1,000 to \$1,200; appropriates \$15,000 for quarantine buildings on the Washington Asylum grounds, and strikes out the appropriation of \$1,000 for a stable for the small-pox hospital.

On Nos. 163, 164, 165, 166, and 167, relating to the police court: Strikes out the proposed increase of the salaries of the police court judges from \$3,000 to \$3,600 each, and increases the salary of the deputy marshal from \$900 to \$1,000.

On No. 168: Strikes out appropriation of \$38,000 proposed by the Senate for site and plans for a new police-court building.

On Nos. 169 and 170: Strikes out the proposed increase in the salaries of 10 justices of the peace from \$2,000 to \$2,400 each.

On No. 171: Strikes out enlargement proposed by the Senate of the discretion of the Commissioners in expending the emergency fund.

On Nos. 172, 173, 174, 175, and 176: Strikes out the proposed increase in salaries of employees of the Board of Charities.

On Nos. 177, 178, 179, 180, 181, 182, 183, 184, and 185, relating to the Washington Asylum: Increases the salary of the engineer from \$550 to \$480, and of the second assistant engineer from \$300 to \$390; provides for an additional watchman at \$548; strikes out the proposed increase in the salaries of the hospital cook and the chief cook of the almshouse and workhouse; strikes out the provision for a laundryman at \$720 and for 2 attendants at \$300 each; appropriates \$60,000 instead of \$58,200, as proposed by the House, for contingent and miscellaneous expenses, and strikes out the appropriation of \$100,000 proposed by the Senate for continuing erection of a workhouse.

On Nos. 186, 187, 188, 189, 190, and 191, relating to the Reform School for Boys: Increases the salary of the assistant superintendent from \$900 to \$1,000; provides for an additional teacher at \$600 instead of a foreman of workshops at that salary, and strikes out the appropriation of \$25,000 for a new building and \$1,500 for furnishing the same.

On No. 192: Appropriates \$50,000, as proposed by the Senate, for reconstruction of the Homeopathic Hospital.

On Nos. 194 and 195: Appropriates \$12,000, as proposed by the Senate, for the Hart Farm School.

On Nos. 196 and 197: Appropriates directly for the maintenance of the National Association for the Relief of Destitute Colored Women and Children, and for the German Orphan Asylum, without requiring the same to enter into contract with the Board of Children's Guardians.

On Nos. 198 and 199: Appropriates \$5,500 instead of \$4,000 for the Temporary Home for ex-Union Soldiers and Sailors.

On Nos. 200, 201, 202, and 203, relating to the water department: Increases the compensation of 1 clerk from \$1,400 to \$1,500, and of 1 fireman from \$1,400 to \$1,500, and appropriates \$2,000 for introducing the card-record system in the water department.

On Nos. 204 and 205: Inserts as section 3 of the bill a provision proposed by the Senate authorizing advances out of the Treasury during the fiscal year 1904 to meet any deficiency that may occur in the revenues of the District of Columbia, the same to be reimbursed from time to time within five years after the close of the fiscal year 1904.

The bill as finally agreed upon appropriates \$8,647,497, \$8,513,001 of which is payable from the United States Treasury and the revenues of the District of Columbia, the remainder, \$134,496, being payable from the revenues of the water department.

As agreed upon, the total amount appropriated by the bill is \$896,842 more than as it passed the House, \$776,857 less than as it passed the Senate, \$103,087.03 more than the law for the current year, and \$2,358,131 less than the estimates submitted by the Commissioners.

J. T. McCLEARY,
E. J. BURKETT,
M. E. BENTON,

Managers on the part of the House.

Mr. McCLEARY. Mr. Speaker—

Mr. COWHERD. A point of order, Mr. Speaker. I desire to present a point of order.

The SPEAKER. The gentleman will state it.

Mr. COWHERD. As I caught the reading from the Clerk's desk, though it was so rapid I could not accurately catch it, I believe that the conferees have included new matter here which was not in dispute between the House and the Senate, in items 43 and 95. I make the point of order that those items are here in the conference report and that they include new matter that was not in dispute between the two Houses.

Mr. McCLEARY. I would ask what 43 refers to?

Mr. COWHERD. Forty-three is the item, as I caught it, where you provide that hereafter in reporting the schedules of streets and avenues to be improved the Commissioners shall report on a definite examination made by them and report their conclusions.

Mr. McCLEARY. And the other?

Mr. COWHERD. The other is in regard to the filtration plant.

Mr. McCLEARY. Oh, yes; the filtration plant.

Mr. Speaker, relative to the item No. 43, that was inserted as a limitation upon the expenditures, and a direction as to the method of expenditures.

Mr. UNDERWOOD. May I ask the gentleman a question? Are there any limitations on expenditures as the bill left the House?

Mr. McCLEARY. There has been a standing limitation.

Mr. UNDERWOOD. But I mean in the bill?

Mr. McCLEARY. Not in the language of the bill.

Mr. UNDERWOOD. Was there any limitation on the expenditures in the language of the bill when it left the Senate?

Mr. McCLEARY. Nothing except the general limitation.

Mr. UNDERWOOD. Then the limitation was placed in the bill by the conferees and not by either House.

Mr. McCLEARY. No.

Mr. UNDERWOOD. I mean the language of the bill was placed there by the conferees and by neither House.

Mr. COWHERD. May I have that item 43 reported?

Mr. McCLEARY. The gentleman is evidently wrong about the number.

Mr. COWHERD. It may be 42 or 43. I thought it was 43 as I heard it. Of course in the rapid reading it was difficult to catch it.

Mr. McCLEARY. It is not either of those.

Mr. BENTON. Forty-four.

Mr. UNDERWOOD. You say 44.

Mr. COWHERD. It is the item which is really new legislation, providing the manner in which the District Commissioners shall hereafter make their suggestions as to the improvement of streets.

The SPEAKER. Now, what section does the gentleman refer to?

Mr. COWHERD. The one I am referring to is either 42, 43, or 44.

The SPEAKER. The gentleman will please give the number.

Mr. COWHERD. If the Clerk will report those sections I will give the number. The Speaker will understand that it has not been printed and we have no way to get it.

Mr. MUDD. I would like to ask the gentleman from Missouri a question pending that.

The SPEAKER. The gentleman from Minnesota has the floor.

Mr. COWHERD. I will read the words of the report on that item I refer to:

Hereafter the Commissioners, in submitting schedules of streets and avenues to be improved, shall each year arrange said streets and avenues in the order of their importance, and determine by them after personal examination of said streets and avenues.

There is nothing in the action of either the House or the Senate putting that in; and I make the point of order that it is new legislation, that was not in conference between the two Houses as in controversy.

The SPEAKER. The Chair overrules the point of order.
Mr. COWHERD. I make the point of order against the proposition in 95, with relation to the filtration plant.

Mr. McCLEARY. That was a matter of conference. The Senate offered an amendment.

Mr. COWHERD. The legislation was not a matter of conference, Mr. Speaker. The matter of conference was the appropriation. That was raised in the other House.

The SPEAKER. What amendment does the gentleman refer to.

Mr. COWHERD. I refer to amendment No. 95.

The SPEAKER. The amendment relates to the original text. The Chair overrules the point of order.

Mr. COWHERD. The point I make is that it is legislation.

The SPEAKER. The subject-matter is filtration and the amendment is filtration. The Chair overrules the point of order.

Mr. COWHERD. Mr. Speaker, with all due respect to the Chair, it seems to me that this is improper legislation, and I respectfully appeal.

The SPEAKER. The Chair declines to entertain the appeal.

Mr. FITZGERALD. Mr. Speaker, I demand the previous question.

The SPEAKER. The gentleman from Minnesota has the floor.

Mr. FITZGERALD. A parliamentary inquiry.

Mr. McCLEARY. Those who have followed carefully the reading of the report—

The SPEAKER. The gentleman will state his parliamentary inquiry.

Mr. FITZGERALD. Is not a demand for the previous question, which is a preferential motion, in order?

The SPEAKER. The gentleman can not take a member in charge of the bill from the floor by asking the previous question. That is the prerogative of the gentleman in charge of the bill. The gentleman from Minnesota will proceed.

Mr. McCLEARY. As evidenced by the very intelligent question of my friend from Missouri, those who have followed carefully the reading of the report and the statement are in possession of at least the principal facts relating to this bill. I may be pardoned, however, if I emphasize two or three facts in connection with it.

As the statement shows, this bill carries \$8,647,497, of which sum \$3,513,091 is payable from the Treasury of the United States and the revenues of the District of Columbia, and \$134,406 from the water revenue. The bill as now reported carries \$896,842 more than the bill as reported by the House, and \$776,857 less than the bill as reported by the Senate. It appropriates \$103,037.03 more than the present law, but it carries \$2,358,131 less than the estimates submitted by the Commissioners.

Three items deserve perhaps a few words of special consideration.

An increase of \$700,000 is authorized in the total expense of the filtration plant by reason of the fact that bids submitted for the completion of the plant show that the increase is necessary, and, further, because the Senate added as an amendment the proviso that the filtration plant should be completed by December 1, 1904.

Mr. RICHARDSON of Tennessee. Mr. Speaker, I make the point of order that we can not hear what the gentleman is saying.

The SPEAKER. All gentlemen will take their seats. The House will be in order.

Mr. McCLEARY. The Senate recognized the urgency of the completion of this filtration plant and inserted a proviso by way of an amendment that the plant should be completed by December 1, 1904. In order that that might be done without default, we felt it our duty to increase the total estimate by \$700,000.

Mr. COWHERD. Will the gentleman from Minnesota yield for a question?

Mr. McCLEARY. I must decline to yield.

The SPEAKER. Does the gentleman from Minnesota yield to the gentleman from Missouri?

Mr. McCLEARY. I must decline to yield, Mr. Speaker.

For the sewage disposal system an increased appropriation of \$450,000 over the amount reported by the House is made. This is solely on the ground that we desire to complete this sewage disposal system in two years instead of three.

Mr. COWHERD. Did not the engineer state that he could not spend any more than we appropriated?

The SPEAKER. The gentleman from Missouri is out of order.

Mr. McCLEARY. The engineer officer, in the hearing before the House subcommittee, advised that the sum which we reported in our bill was all that he could expend, and it was all he could expend under his theory of expenditure; but the Senate committee was urgent to complete the whole system in two years instead of three, and hence provided for the increase of \$450,000 in the

appropriation for this year, and we concurred in the wisdom of their increase.

There is a provision for advances from the Treasury of the United States for the coming fiscal year, if these advances are needed, to bear interest at the rate of 2 per cent and to be repaid within five years. This authorization includes the advances authorized under the act of 1901 and the act of 1902, providing for advances to the District.

In our discussion of the bill, when it was in the House, after being reported from the House Committee on Appropriations, we claimed that no advance would be needed. The result of this bill proves that our contention was correct. The estimated revenue of the District from taxation is \$5,200,000 to \$5,400,000. With the corresponding sum coming from the United States Treasury, the total income of the District is \$10,400,000 to \$10,800,000. In this bill we have appropriated \$8,647,497. Even after meeting the appropriations carried in other bills there will be a considerable surplus. The insertion of this proviso was a concession to the Senate, because its conferees thought that something of that kind ought to be done.

Now, having explained these items—remembering that the report is unanimous—I move the previous question.

Mr. COWHERD. Will not the gentleman yield for one or two questions for the information of the House? I want to ask him one thing about the electric lights?

Mr. McCLEARY. Mr. Speaker, in view of the evident purpose on the part of our friends on the other side to use all sorts of devices to consume time, I must respectfully decline to yield.

Mr. COWHERD. Does the gentleman refuse to give the House any information on a bill he is seeking to pass? I appeal to the House for the purpose of asking him some questions.

The SPEAKER. The gentleman from Missouri is out of order. Let us pursue the regular course.

Mr. FITZGERALD. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. FITZGERALD. Is it in order to ask the gentleman from Minnesota to yield two minutes' time to discuss this report?

The SPEAKER. The gentleman from Minnesota has several times stated that he will not yield, and has given his reasons for it. The Chair has submitted to him two or three times a request to yield, and he declined. The question is on the motion of the gentleman from Minnesota for the previous question.

The question was taken; and Mr. UNDERWOOD demanded a division.

Mr. McCLEARY. Mr. Speaker, I ask for the yeas and nays. The yeas and nays were ordered.

The question was taken; and there were—yeas 150, nays 79, answered "present" 10, not voting 112; as follows:

YEAS—150.

Acheson,	Dahle,	Kahn,	Powers, Mass.
Alexander,	Dalzell,	Ketcham,	Reeder,
Allen, Me.	Darragh,	Knapp,	Reeves,
Applin,	Davidson,	Kyle,	Roberts,
Babcock,	Deemer,	Lacey,	Schirm,
Ball, Del.	Dick,	Landis,	Scott,
Barney,	Douglas,	Lessler,	Shattuc,
Bartholdt,	Dovener,	Lewis, Pa.	Showalter,
Bates,	Draper,	Littauer,	Sibley,
Beidler,	Dwight,	Long,	Smith, Ill.
Bishop,	Esch,	Loud,	Smith, Iowa.
Boring,	Evans,	Loudenslager,	Smith, H. C.
Boutell,	Fletcher,	Lovering,	Smith, S. W.
Bowersock,	Fordney,	McCleary,	Southard,
Brandeggee,	Fowler,	McLachlan,	Southwick,
Brick,	Gaines, W. Va.	Mahon,	Sperry,
Bromwell,	Gardner, Mass.	Marshall,	Steele,
Brown,	Gardner, Mich.	Martin,	Storm,
Brownlow,	Gardner, N. J.	Mercer,	Sulloway,
Bull,	Gibson,	Metcalf,	Tawney,
Burk, Pa.	Gill,	Miller,	Taylor, Ohio
Burke, S. Dak.	Gillet, N. Y.	Minor,	Thomas, Iowa
Burkett,	Graft,	Mondell,	Tirrell,
Burleigh,	Graham,	Moody,	Tompkins, N. Y.
Burton,	Greene, Mass.	Morris,	Tompkins, Ohio
Butler,	Grosvenor,	Moss,	Van Voorhis,
Calderhead,	Grow,	Mudd,	Vreeland,
Cannon,	Hamilton,	Needham,	Wachter,
Capron,	Hedge,	Nevin,	Wadsworth,
Cassel,	Henry, Conn.	Olmsted,	Wagoner,
Conner,	Hepburn,	Otjen,	Warnock,
Coombs,	Hill,	Overstreet,	Watson,
Cooper, Wis.	Holliday,	Palmer,	Weeks,
Corliss,	Howell,	Parker,	Woods,
Cromer,	Hull,	Patterson, Pa.	Wright,
Crumpacker,	Irwin,	Payne,	Young.
Cushman,	Jackson, Md.	Pearre,	
	Jenkins,	Powers, Me.	

NAYS—79.

Allen, Ky.	Brundidge,	Clayton,	Davey, La.
Bankhead,	Burgess,	Cooney,	De Armond,
Bartlett,	Burleson,	Cooper, Tex.	Dougherty,
Bell,	Caldwell,	Cowherd,	Elliott,
Billmeyer,	Candler,	Creamer,	Fitzgerald,
Breazeale,	Cassingham,	Crowley,	Fleming,

Flood,
Gaines, Tenn.
Goldfogle,
Gooch,
Gordon,
Hay,
Henry, Tex.
Howard,
Jackson, Kans.
Johnson,
Jones, Va.
Kitchin, Claude
Kitchin, Wm. W.
Kluttz,

Lamb,
Lester,
Lever,
Lewis, Ga.
Little,
Lloyd,
McAndrews,
McCulloch,
Mahoney,
Maynard,
Miers, Ind.
Padgett,
Randell, Tex.
Rhea,

Richardson, Ala.
Richardson, Tenn.
Rixey,
Robb,
Robinson, Ind.
Rucker,
Russell,
Selby,
Shackleford,
Shallenberger,
Sims,
Slayden,
Small,
Smith, Ky.

Snook,
Sparkman,
Stark,
Swanson,
Tate,
Taylor, Ala.
Trimble,
Underwood,
Vandiver,
White,
Wiley,
Williams, Ill.
Zenor.

ANSWERED "PRESENT"—10.

Adamson,
Curtis,
Emerson,

Foster, Vt.
Gillett, Mass.
Joy,

NOT VOTING—112.

Adams,
Ball, Tex.
Bellamy,
Belmont,
Benton,
Bingham,
Blackburn,
Blakeney,
Bowie,
Brantley,
Bristow,
Broussard,
Burnett,
Clark,
Cochran,
Connell,
Conry,
Cousins,
Davis, Fla.
Dayton,
Dinsmore,
Driscoll,
Eddy,
Edwards,
Feely,
Finley,
Flanagan,
Foerderer,

Foss,
Foster, Ill.
Fox,
Gilbert,
Glass,
Glenn,
Green, Pa.
Griffith,
Griggs,
Hanbury,
Haskins,
Haugen,
Heatwole,
Hemenway,
Henry, Miss.
Hildebrandt,
Hitt,
Hooker,
Hopkins,
Hughes,
Jack,
Jett,
Jones, Wash.
Kehoe,
Kern,
Kleberg,
Knox,
Lassiter,

Latimer,
Lawrence,
Lindsay,
Littlefield,
Livingston,
McCall,
McDermott,
McLain,
McRae,
Griggs,
Maddox,
Mann,
Meyer, La.
Mickey,
Moon,
Morgan,
Mutchler,
Naphen,
Neville,
Newlands,
Norton,
Patterson, Tenn.
Perkins,
Pierce,
Pou,
Prince,
Pugsley,
Ransdell, La.
Reid,

Sutherland.

Robertson, La.
Robinson, Nebr.
Ruppert,
Ryan,
Scarborough,
Shafroth,
Shelden,
Sheppard,
Skiles,
Smith, Wm. Alden
Snodgrass,
Spight,
Stephens, Tex.
Stevens, Minn.
Stewart, N. J.
Stewart, N. Y.
Sulzer,
Swan,
Talbert,
Thayer,
Thomas, N. C.
Thompson,
Wanger,
Warner,
Wheeler,
Williams, Miss.
Wilson,
Wooten.

The question was taken; and there were—yeas 144, nays 59, answered "present" 14, not voting 134; as follows:

YEAS—144.

Acheson,
Alexander,
Allen, Me.,
Applin,
Babcock,
Bankhead,
Bartholdt,
Bates,
Beidler,
Bishop,
Blackburn,
Boreing,
Bowersock,
Bowie,
Brandegge,
Breezeale,
Brick,
Bromwell,
Brownlow,
Bull,
Burk, Pa.
Burke, S. Dak.
Burkett,
Burleigh,
Burton,
Butler,
Calderhead,
Capron,
Cassel,
Connell,
Conner,
Coombs,
Corliss,
Cromer,
Crowley,
Crumpacker,

Cushman,
Dahle,
Dalzell,
Darragh,
Deemer,
Dick,
Douglas,
Dovener,
Draper,
Dwight,
Evans,
Fletcher,
Flood,
Foerderer,
Fordney,
Foss,
Fowler,
Gaines, W. Va.
Gardner, Mich.
Gardner, N. J.
Gibson,
Gill,
Gillett, N. Y.
Graham,
Greene, Mass.
Grosvenor,
Grow,
Hamilton,
Haugen,
Hay,
Hedge,
Hepburn,
Hill,
Holliday,
Hopkins,
Howell,

Hull,
Irwin,
Jackson, Md.
Kahn,
Knapp,
Kyle,
Lacey,
Lewis, Pa.
Littauer,
Long,
Loudenslager,
McAndrews,
McCall,
McCleary,
McLachlan,
Mahon,
Mahoney,
Marshall,
Martin,
Miller,
Mondell,
Morgan,
Morris,
Moss,
Mudd,
Needham,
Nevin,
Olmsted,
Otjen,
Overstreet,
Palmer,
Parker,
Patterson, Pa.
Payne,
Perkins,
Powers, Mass.

Reeder,
Reeves,
Roberts,
Robinson, Ind.
Scott,
Shattuc,
Showalter,
Sibley,
Small,
Smith, Ill.
Smith, Iowa
Smith, H. C.
Smith, S. W.
Southard,
Southwick,
Sperry,
Steele,
Stevens, Minn.
Storm,
Sulloway,
Swanson,
Thomas, Iowa
Tirrell,
Tompkins, N. Y.
Underwood,
Van Voorhis,
Vreeland,
Wagoner,
Warner,
Warnock,
Watson,
Weeks,
Williams, Ill.
Woods,
Wright,
Young.

NAYS—59.

Allen, Ky.
Bartlett,
Billmeyer,
Brundidge,
Burleson,
Caldwell,
Candler,
Cassingham,
Cooney,
Cooper, Tex.
Cowherd,
De Armond,
Dougherty,
Fitzgerald,

Fleming,
Goldfogle,
Gooch,
Gordon,
Howard,
Johnson,
Jones, Va.
Kitchin, Claude
Kitchin, Wm. W.
Lever,
Lewis, Ga.
Little,
Lloyd,
McClellan,
McCulloch,

Maddox,
Maynard,
Miers, Ind.
Moon,
Padgett,
Randell, Tex.
Rhea,
Richardson, Ala.
Richardson, Tenn.
Rixey,
Robb,
Robertson, La.
Rucker,
Russell,
Ryan,

Selby,
Shackleford,
Shallenberger,
Sims,
Slayden,
Smith, Ky.
Snook,
Sparkman,
Stark,
Stephens, Tex.
Tate,
Trimble,
Vandiver,
Zenor.

ANSWERED "PRESENT"—14.

Adamson,
Benton,
Curtis,
Dayton,

Emerson,
Foster, Vt.
Joy,
Kluttz,

NOT VOTING—134.

Adams,
Ball, Del.
Ball, Tex.
Barney,
Bell,
Bellamy,
Belmont,
Bingham,
Blakeney,
Boutell,
Brantley,
Bristow,
Broussard,
Brown,
Burgess,
Burnett,
Cannon,
Clark,
Clayton,
Cochran,
Conry,
Cooper, Wis.
Cousins,
Currier,
Davey, La.
Davidson,
Davis, Fla.
Dinsmore,
Driscoll,
Eddy,
Edwards,
Elliott,
Esch,
Feely,

Finley,
Flanagan,
Foster, Ill.
Fox,
Gaines, Tenn.
Gardner, Mass.
Gilbert,
Gillett, Mass.
Glass,
Glenn,
Graft,
Green, Pa.
Griffith,
Griggs,
Hanbury,
Haskins,
Heatwole,
Hemenway,
Henry, Conn.
Henry, Miss.
Henry, Tex.
Hildebrandt,
Hitt,
Hooker,
Hughes,
Jack,
Jackson, Kans.
Jenkins,
Jett,
Jones, Wash.
Kehoe,
Kern,
Ketcham,
Kleberg,

Knox,
Landis,
Lassiter,
Latimer,
Lawrence,
Lessler,
Lester,
Lindsay,
Littlefield,
Livingston,
Loud,
Lovering,
McDermott,
McLain,
McRae,
Mercer,
Metcalf,
Meyer, La.
Mickey,
Minor,
Moody,
Mutchler,
Naphen,
Neville,
Newlands,
Norton,
Patterson, Tenn.
Pearre,
Pierce,
Pou,
Powers, Me.
Prince,
Pugsley,
Ransdell, La.

Reid,
Robinson, Nebr.
Ruppert,
Scarborough,
Schirm,
Shafroth,
Shelden,
Sheppard,
Skiles,
Smith, Wm. Alden
Snodgrass,
Spight,
Stewart, N. J.
Stewart, N. Y.
Sulzer,
Swann,
Talbert,
Tawney,
Taylor, Ohio
Taylor, Ala.
Thayer,
Thomas, N. C.
Thompson,
Tompkins, Ohio
Wachter,
Wadsworth,
Wanger,
Wheeler,
White,
Williams, Miss.
Wilson,
Wooten.

So the previous question was ordered.

The following additional pairs were announced until further notice:

Mr. FOSS with Mr. SHEPPARD.
Mr. WANGER with Mr. ADAMSON.
Mr. LAWRENCE with Mr. GRIGGS.
Mr. CURTIS with Mr. BURGESS.
Mr. MANN with Mr. JETT.
Mr. ADAMS with Mr. HOOKER.
Mr. CANNON with Mr. McRAE.
Mr. JACK with Mr. FINLEY.
Mr. HOPKINS with Mr. MADDOX.
Mr. HAUGEN with Mr. MICKEY.
Mr. EMERSON with Mr. GILBERT.
Mr. FOSTER of Vermont with Mr. POU.
Mr. McCALL with Mr. McCLELLAN.
Mr. HASKINS with Mr. WOOTEN.
Mr. HILDEBRANT with Mr. BELMONT.
Mr. STEWART of New York with Mr. WILSON.
Mr. WARNER with Mr. THOMAS of North Carolina.
Mr. WM. ALDEN SMITH with Mr. ROBERTSON of Louisiana.
Mr. SKILES with Mr. SCARBOROUGH.
Mr. HANBURY with Mr. REID.
Mr. SHELLEN with Mr. CLARK.
Mr. EDDY with Mr. CLARK.
Mr. GILLETT of Massachusetts with Mr. DAVIS of Florida.

For this day:

Mr. COUSINS with Mr. DINSMORE.

On this vote:

Mr. HEATWOLE with Mr. LIVINGSTON.
Mr. BABCOCK with Mr. BROUSSARD.
Mr. CONNELL with Mr. BALL of Texas.

Mr. ADAMSON. Mr. Speaker, I wish to know whether the gentleman from Pennsylvania [Mr. WANGER] voted?

The SPEAKER pro tempore (Mr. DALZELL). He did not.
Mr. ADAMSON. During week days I am paired with that gentleman, and if pairs are legal on Sunday, I want to withdraw my vote.

The name of Mr. ADAMSON being again called, he responded "present."

The result of the vote was announced as above stated.

The SPEAKER pro tempore. The question is now on agreeing to the conference report.

The question was put.

The SPEAKER pro tempore. The ayes appear to have it.

Mr. UNDERWOOD. I call for a division.

Mr. McCLEARY. I demand the yeas and nays.

The yeas and nays were ordered.

So the report of the committee of conference was agreed to. The following additional pairs were announced:

Until further notice:

Mr. HENRY of Connecticut with Mr. BROUSSARD.

Mr. BALL of Delaware with Mr. WILEY.

On this vote:

Mr. JENKINS with Mr. SULZER.

The result of the vote was announced as above stated.

Mr. PAYNE. I move to dispense with further proceedings under the call.

The question was put.

The SPEAKER pro tempore. The ayes appear to have it.

Mr. RICHARDSON of Tennessee. I call for a division.

Mr. PAYNE. I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 147, nays 48, answered "present" 15, not voting 141; as follows:

YEAS—147.

Adams,	Deemer,	Jones, Va.	Reeder,
Alexander,	Dick,	Jones, Wash.	Reeves,
Allen, Me.	Dovener,	Kahn,	Roberts,
Babcock,	Draper,	Ketcham,	Schirm,
Barney,	Emerson,	Knapp,	Scott,
Bates,	Esch,	Kyle,	Shattuc,
Bishop,	Evans,	Lacey,	Showalter,
Boreing,	Fitzgerald,	Lessler,	Sibley,
Bowersock,	Fletcher,	Lewis, Pa.	Sims,
Brandegoe,	Foerderer,	Littauer,	Smith, Ill.
Brick,	Fordney,	Littlefield,	Smith, Iowa
Bromwell,	Foss,	Livingston,	Smith, H. C.
Brown,	Fowler,	Long,	Smith, S. W.
Brownlow,	Gaines, Tenn.	Loudenslager,	Southard,
Bull,	Gardner, Mich.	Lovering,	Southwick,
Burk, Pa.	Gardner, N. J.	McCall,	Sperry,
Burke, S. Dak.	Gibson,	McCleary,	Stevens, Minn.
Burkett,	Gill,	McClellan,	Storm,
Burleigh,	Gillet, N. Y.	McLachlan,	Sulloway,
Burleson,	Goldfogle,	Mahon,	Tawney,
Burton,	Graft,	Marshall,	Taylor, Ohio
Butler,	Graham,	Martin,	Taylor, Ala.
Capron,	Greene, Mass.	Morgan,	Thomas, Iowa
Cassel,	Grosvenor,	Morris,	Tirrell,
Connell,	Grow,	Mudd,	Tompkins, N. Y.
Conner,	Hamilton,	Needham,	Tompkins, Ohio
Coombs,	Haugen,	Olmsted,	Vandiver,
Cooper, Wis.	Hedge,	Otjen,	Van Voorhis,
Corliss,	Hepburn,	Overstreet,	Vreeland,
Cromer,	Hildebrandt,	Padgett,	Wagoner,
Crumacker,	Hill,	Palmer,	Warner,
Currier,	Hitt,	Parker,	Warnock,
Cushman,	Holliday,	Patterson, Pa.	Weeks,
Dalzell,	Howell,	Payne,	Woods,
Darragh,	Hughes,	Pearre,	Wright,
Davidson,	Jackson, Md.	Perkins,	Young,
De Armond,	Jenkins,	Powers, Mass.	

NAYS—48.

Allen, Ky.	Gooch,	Mahoney,	Russell,
Bankhead,	Gordon,	Maynard,	Ryan,
Bartlett,	Henry, Tex.	Miers, Ind.	Selby,
Benton,	Jackson, Kans.	Moon,	Small,
Billmeyer,	Kitchin, Claude	Patterson, Tenn.	Smith, Ky.
Brundidge,	Kitchin, Wm. W.	Randell, Tex.	Snodgrass,
Candler,	Klutzt,	Rhea,	Snook,
Cassingham,	Lamb,	Richardson, Ala.	Stark,
Clark,	Lever,	Richardson, Tenn.	Stephens, Tex.
Cooney,	Little,	Robertson, La.	Trimble,
Cooper, Tex.	Lloyd,	Robinson, Ind.	White,
Elliott,	McAndrews,	Rucker,	Zenor.

ANSWERED "PRESENT"—15.

Adamson,	Feely,	Minor,	Smith, Wm. Alden
Burgess,	Hull,	Morrell,	Sutherland,
Curtis,	Joy,	Shackleford,	Wiley.
Dayton,	Mann,	Sherman,	

NOT VOTING—141.

Acheson,	Dwight,	Knox,	Robb,
Applin,	Eddy,	Landis,	Robinson, Nebr.
Ball, Del.	Edwards,	Lassiter,	Ruppert,
Ball, Tex.	Finley,	Latimer,	Scarborough,
Bartholdt,	Flanagan,	Lawrence,	Shafroth,
Beidler,	Fleming,	Lester,	Shallenberger,
Bell,	Flood,	Lewis, Ga.	Shelden,
Bellamy,	Foster, Ill.	Lindsay,	Sheppard,
Belmont,	Foster, Vt.	Loud,	Skiles,
Bingham,	Fox,	McCulloch,	Slayden,
Blackburn,	Gaines, W. Va.	McDermott,	Sparkman,
Blakeney,	Gardner, Mass.	McLain,	Spight,
Boutell,	Gilbert,	McRae,	Steele,
Bowie,	Gillett, Mass.	Maddox,	Stewart, N. J.
Brantley,	Glass,	Mercer,	Stewart, N. Y.
Breazeale,	Glenn,	Metcalf,	Sulzer,
Bristow,	Green, Pa.	Meyer, La.	Swann,
Broussard,	Griffith,	Mickey,	Swanson,
Burnett,	Griggs,	Miller,	Talbert,
Calderhead,	Hanbury,	Mondell,	Tate,
Caldwell,	Haskins,	Moody,	Thayer,
Cannon,	Hay,	Moss,	Thomas, N. C.
Clayton,	Heatwole,	Mutchler,	Thompson,
Cochran,	Hemenway,	Naphe,	Underwood,
Conry,	Henry, Conn.	Neville,	Wachter,
Cousins,	Henry, Miss.	Nevin,	Wadsworth,
Cowherd,	Hooker,	Newlands,	Wanger,
Creamer,	Hopkins,	Norton,	Watson,
Crowley,	Howard,	Pierce,	Wheeler,
Dahle,	Irwin,	Pou,	Williams, Ill.
Davey, La.	Jack,	Powers, Me.	Williams, Miss.
Davis, Fla.	Jett,	Prince,	Wilson,
Dinsmore,	Johnson,	Pugsley,	Wooten.
Dougherty,	Kehoe,	Ransdell, La.	
Douglas,	Kern,	Reid,	
Driscoll,	Kleberg,	Rixey,	

So the motion was agreed to.

The Clerk announced the following additional pairs:
For this vote:

Mr. BARTHOLDT with Mr. COWHERD.

Mr. MINOR with Mr. BOWIE.

Mr. MOODY with Mr. FLOOD.

Until further notice:

Mr. LANDIS with Mr. WILLIAMS of Mississippi.

Mr. HEMENWAY with Mr. DOUGHERTY.

Mr. MONDELL with Mr. CLAYTON.

The result of the vote was announced as above recorded.

LANDS IN ALASKA.

Mr. LACEY. Mr. Speaker, I call up the conference report on the bill (H. R. 12098) extending the homestead laws and providing for a right of way for railroads in the district of Alaska, and move the adoption of the conference report.

The SPEAKER pro tempore. The gentleman from Iowa calls up a conference report and moves that the same be adopted. The Clerk will read the report and statement.

The Clerk read as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill H. R. 12098 having met, after full and free conference have agreed to recommend, and do recommend, to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate and agree to the same, with amendments as follows: In lines 4, 5, 6, and 7, page 1, strike out the words "excepting the commutation provisions thereof, and excepting also the provisions relating to the acquisition of title through soldiers' additional homestead rights."

Also in line 13, page 1, after the word "district," insert the following: "except as now provided by law: And provided further, That no more than 160 acres shall be entered in any single body by such scrip, lien selection, or soldier's additional homestead right: And provided further, That no location of scrip, selection, or right along any navigable or other waters shall be made within the distance of 80 rods of any lands, along such waters, theretofore located by means of any such scrip or otherwise: And provided further, That no commutation privileges shall be allowed in excess of 160 acres included in any homestead entry under the provisions hereof."

Also in line 11, page 2, after the word "proof," insert: "except as to commuted lands as herein provided."

Also in line 10, page 3, after the word "years," insert: "Or at such date as the settler may desire to commute."

Also in line 18, page 3, after the words "United States," insert: "as heretofore and herein amended."

Also in line 1, page 4, after the word "receiver," insert: "except one dollar and twenty-five cents per acre on land commuted."

And the Senate agree to the same.

JOHN F. LACEY,
F. W. MONDELL,
F. M. GRIFFITH.

Managers on the part of the House.

C. D. CLARK,
ROBERT J. GAMBLE,
A. J. McLAURIN.

Managers on the part of the Senate.

The effect of the amendments is as follows:

1. The Senate provision prohibiting the use of soldiers' additional homestead rights in Alaska is stricken out, leaving the existing law, and also limiting the use of all scrip or lien selections to tracts of not exceeding 160 acres, and reserving from such locations along navigable or other waters tracts of not less than 80 rods in width between such entries.

2. Also as to commutation of homesteads, the amendment of the Senate is so modified that while homesteads of 320 acres may be taken, only 160 acres may be commuted.

3. The Senate provision as to surveys is substantially accepted.

JOHN F. LACEY,
F. W. MONDELL,
F. M. GRIFFITH.

Mr. RICHARDSON of Tennessee. Mr. Speaker, I desire to raise the question of consideration. This is not an appropriation bill, and it is Sunday.

Mr. LACEY. Mr. Speaker, I make the point of order that that is a dilatory motion.

Mr. RICHARDSON of Tennessee. I submit it is not dilatory. This is Sunday, and we ought not to legislate generally on Sunday.

Mr. ROBINSON of Indiana. Mr. Speaker, I rise to a point of order.

The SPEAKER pro tempore. The gentleman will state it.

Mr. ROBINSON of Indiana. It is that under Rule XXIX the statement, which should be in detail, accompanying the conference report is not a sufficiently detailed statement to conform to that rule.

The SPEAKER pro tempore. The Chair overrules the point of order. The Chair holds that the statement complies with the rules.

Mr. ROBINSON of Indiana. Mr. Speaker, a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. ROBINSON of Indiana. Does the Chair take cognizance of that as a point of order to be decided by the Chair?

The SPEAKER pro tempore. The Chair rules in accordance with former rulings of occupants of the chair. The statement complies with the rule and the Chair overrules the point of order.

Mr. ROBINSON of Indiana. I want to suggest that the only decision that has ever been made on that point is to the contrary, and for that reason I most respectfully appeal.

The SPEAKER pro tempore. The Chair declines to entertain the appeal on the ground that it is dilatory.

Mr. RICHARDSON of Tennessee. But, Mr. Speaker, the rule is that the House must decide this question, and not the Chair.

Mr. ROBINSON of Indiana. Mr. Speaker, will the Chair entertain the decision of the House upon this proposition, and the only decision that was ever made in the House?

The SPEAKER pro tempore. The question has been decided, and the gentleman from Iowa [Mr. LACEY] has the floor.

Mr. LACEY. Mr. Speaker, there is a great unanimity of sentiment in favor of this bill, although nobody would suspect it for a moment after listening to the other side. This is what has been known as the Alaska homestead bill. The proposition is to give homesteads in that country to the extent of 320 acres. The principal matter of difference between the House and the Senate conferees was upon the question of commutation and the use of scrip in Alaska. Upon the question of the use of scrip the agreement leaves these matters substantially as they are now, excepting to make the law clear that scrip shall not be located upon streams in such a way as to make a continuous location, but that a quarter of a mile between any two locations will be reserved. There can be no monopoly of the shores of the water courses. As to commutation, it provides that there may be commutation on a quarter section, but not on the whole amount of 320 acres.

With this statement, Mr. Speaker, I move the previous question. Mr. STEPHENS of Texas. Mr. Speaker, I would like to ask the gentleman a question.

Mr. ROBINSON of Indiana rose.

The SPEAKER pro tempore. The gentleman from Iowa moves the previous question.

The question was taken.

Mr. RICHARDSON of Tennessee. Mr. Speaker, I insist that when gentlemen rise and address the Chair they have a right to ask a question and that the Chair ought not to override them. We were asking a respectful question of the gentleman from Iowa.

The SPEAKER pro tempore. For what purpose does the gentleman from Indiana rise?

Mr. LACEY. Mr. Speaker, I will withhold my motion long enough to ascertain what the question of the gentleman is.

Mr. ROBINSON of Indiana. The question is as to the proposition of 160 acres. As it left the House—

Mr. LACEY. Mr. Speaker, as the bill left the House it was 320 acres. As agreed on now, it is 320 acres. As to commutation, the amount to be commuted is limited to 160 acres.

Mr. STEPHENS of Texas. Mr. Speaker, the question I would like to ask is whether or not it changes the law with reference to settlements on these lands?

Mr. LACEY. Not at all. It leaves the law the same as it is in other parts of the United States. Mr. Speaker, I now move the previous question.

The SPEAKER pro tempore. The question is on the motion of the gentleman from Iowa, to order the previous question.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. RICHARDSON of Tennessee. Mr. Speaker, I demand a division.

Mr. STEELE and Mr. LACEY asked for the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 139, nays 76, answered "present" 10, not voting 126; as follows:

YEAS—139.

Acheson,	Darragh,	Ketcham,	Roberts,
Alexander,	Dick,	Knapp,	Schirm,
Allen, Me.	Draper,	Kyle,	Scott,
Aplin,	Dwight,	Lacey,	Shattuc,
Farney,	Esch,	Landis,	Showalter,
Bartholdt,	Evans,	Lessler,	Sibley,
Bates,	Fletcher,	Lewis, Pa.	Smith, Ill.
Beidler,	Foerderer,	Littaner,	Smith, Iowa
Bishop,	Fordney,	Loudenslager,	Smith, H. C.
Blackburn,	Gaines, W. Va.	Lovering,	Smith, S. W.
Boreing,	Gardner, Mich.	McCall,	Smith, Wm. Alden
Boutell,	Gardner, N. J.	McCleary,	Southard,
Bowersock,	Gibson,	McLachlan,	Southwick,
Brandagee,	Gillet, N. Y.	Mahon,	Sperry,
Brick,	Graff,	Marshall,	Steele,
Fromwell,	Graham,	Martin,	Stevens, Minn.
Brown,	Greene, Mass.	Miller,	Storm,
Bull,	Grosvenor,	Minor,	Sulloway,
Burke, S. Dak.	Grow,	Moody,	Tate,
Burkett,	Hamilton,	Morgan,	Thomas, Iowa
Burleigh,	Haugen,	Moss,	Tirrell,
Burton,	Hedge,	Mudd,	Tompkins, N. Y.
Butler,	Henry, Conn.	Needham,	Tompkins, Ohio
Capron,	Hepburn,	Nevin,	Van Voorhis,
Cassel,	Hildebrandt,	Olmsted,	Vreeland,
Connell,	Hill,	Otjen,	Wachter,
Conner,	Holliday,	Overstreet,	Wagoner,
Cooper, Wis.	Hopkins,	Parker,	Warner,
Corliss,	Howell,	Patterson, Pa.	Watson,
Cromer,	Hughes,	Payne,	Weeks,
Crumpacker,	Hull,	Peare,	Woods,
Currier,	Jackson, Md.	Perkins,	Wright,
Cushman,	Jenkins,	Powers, Mass.	Young,
Dahle,	Jones, Wash.	Reader,	
Dalzell,	Kahn,	Reeves,	

NAYS—76.

Allen, Ky.	Dougherty,	Livingston,	Russell,
Bankhead,	Elliott,	Lloyd,	Ryan,
Bartlett,	Fitzgerald,	McAndrews,	Selby,
Benton,	Flood,	McClellan,	Shackleford,
Billmeyer,	Gaines, Tenn.	McLain,	Shallenberger,
Bowie,	Gooch,	Maddox,	Sims,
Breazeale,	Hay,	Mahoney,	Slayden,
Brundidge,	Jack,	Maynard,	Smith, Ky.
Burgess,	Jackson, Kans.	Miers, Ind.	Snodgrass,
Burleson,	Jones, Va.	Moon,	Snook,
Candler,	Kern,	Padgett,	Stark,
Cassingham,	Kitchin, Claude	Patterson, Tenn.	Stephens, Tex.
Clark,	Kitchin, Wm. W.	Randell, Tex.	Sulzer,
Clayton,	Kluttz,	Rhea,	Trimble,
Cooper, Tex.	Lamb,	Richardson, Ala.	Underwood,
Cowherd,	Latimer,	Richardson, Tenn.	Vandiver,
Creamer,	Lester,	Robb,	White,
Davey, La.	Lever,	Robinson, Ind.	Williams, Ill.
De Armond,	Little,	Rucker,	Zenor.

ANSWERED "PRESENT"—10.

Bell,	Gordon,	Morrell,	Wiley.
Curtis,	Joy,	Sherman,	
Foster, Vt.	Mann,	Sutherland,	

NOT VOTING—126.

Adams,	Eddy,	Johnson,	Reid,
Adamson,	Edwards,	Kehoe,	Rixey,
Babcock,	Emerson,	Kleberg,	Robertson, La.
Ball, Del.	Feely,	Knox,	Robinson, Nebr.
Ball, Tex.	Finley,	Lassiter,	Ruppert,
Beilamy,	Flanagan,	Lawrence,	Scarborough,
Belmont,	Fleming,	Lewis, Ga.	Shafroth,
Bingham,	Foss,	Lindsay,	Shelden,
Blakeney,	Foster, Ill.	Littlefield,	Sheppard,
Brantley,	Fowler,	Long,	Skiles,
Bristow,	Fox,	Loud,	Small,
Broussard,	Gardner, Mass.	McCulloch,	Sparkman,
Brownlow,	Gilbert,	McDermott,	Spight,
Burk, Pa.	Gill,	McRae,	Stewart, N. J.
Burnett,	Gillett, Mass.	Mercer,	Stewart, N. Y.
Calderhead,	Glass,	Metcalf,	Swann,
Caldwell,	Glenn,	Meyer, La.	Swanson,
Cannon,	Goldfogle,	Mickey,	Talbert,
Cochran,	Green, Pa.	Mondell,	Tawney,
Conry,	Griffith,	Morris,	Taylor, Ohio
Coombs,	Griggs,	Mutchler,	Taylor, Ala.
Cooney,	Hanbury,	Napen,	Thayer,
Cousins,	Haskins,	Neville,	Thomas, N. C.
Crowley,	Heatwole,	Newlands,	Thompson,
Davidson,	Hemenway,	Norton,	Wadsworth,
Davis, Fla.	Henry, Miss.	Palmer,	Wanger,
Dayton,	Henry, Tex.	Pierce,	Wheeler,
Deemer,	Hitt,	Pou,	Williams, Miss.
Dinsmore,	Hooker,	Powers, Mo.	Wilson,
Douglas,	Howard,	Prince,	Wooten.
Dovener,	Irwin,	Pugsley,	
Driscoll,	Jett,	Ransdell, La.	

So the previous question was ordered.

The Clerk announced the following additional pairs:

Until further notice:

Mr. FOSS with Mr. TATE.

Mr. HEATWOLE with Mr. NAPHEN.

The result of the vote was announced as above recorded.

Mr. PAYNE. Mr. Speaker, I move that the House do now take a recess until 11 o'clock to-morrow morning, and upon that motion I demand the previous question.

The SPEAKER pro tempore. The gentleman from New York moves that the House do now take a recess until 11 o'clock to-morrow morning, and upon that he demands the previous question.

The question being taken, the Speaker pro tempore announced that the ayes appeared to have it.

Mr. RICHARDSON of Tennessee. Division.

The House divided; and there were—ayes 107, noes 77.

Mr. RICHARDSON of Tennessee. I demand tellers.

Mr. PAYNE. Mr. Speaker, I was in hopes the other side might—

Several MEMBERS on the Democratic side. Regular order!

Mr. PAYNE. I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 144, nays 79, answered "present" 9, not voting 119; as follows:

YEAS—144.

Alexander,	Burke, S. Dak.	Dalzell,	Gibson,
Allen, Me.	Burkett,	Darragh,	Gillet, N. Y.
Aplin,	Burleigh,	Davidson,	Graff,
Barney,	Burton,	Deemer,	Graham,
Bartholdt,	Butler,	Dick,	Greene, Mass.
Bates,	Capron,	Dovener,	Grosvenor,
Beidler,	Cassel,	Draper,	Grow,
Bishop,	Connell,	Eddy,	Hamilton,
Blackburn,	Conner,	Esch,	Haugen,
Boreing,	Coombs,	Evans,	Hedge,
Boutell,	Coulter,	Fletcher,	Henry, Conn.
Bowersock,	Corliss,	Foerderer,	Hepburn,
Brandagee,	Cromer,	Fordney,	Hildebrandt,
Brownlow,	Crumpacker,	Fowler,	Hill,
Brown,	Currier,	Gaines, W. Va.	Holliday,
Bushman,	Cushman,	Gardner, Mich.	Hopkins,
Dahle,	Dahle,	Gardner, N. J.	Howell,

Hull,
Irwin,
Jackson, Md.
Jenkins,
Jones, Wash.
Kahn,
Ketcham,
Knapp,
Kyle,
Lacey,
Landis,
Lessler,
Lewis, Pa.
Littauer,
Littlefield,
Long,
Loud,
Loudenslager,
Lovering,

McCall,
McCleary,
Mahon,
Marshall,
Martin,
Miller,
Mondell,
Moody,
Morgan,
Morris,
Moss,
Mudd,
Needham,
Otjen,
Overstreet,
Palmer,
Parker,
Patterson, Pa.
Payne,

Pearre,
Perkins,
Powers, Mass.
Reeder,
Roberts,
Schirm,
Scott,
Shattuc,
Showalter,
Smith, Ill.
Smith, Iowa
Smith, H. C.
Smith, S. W.
Smith, Wm. Alden
Southard,
Southwick,
Sperry,
Steele,
Stevens, Minn.

Storm,
Sulloway,
Tawney,
Taylor, Ohio
Thomas, Iowa
Tirrell,
Tompkins, N. Y.
Tompkins, Ohio
Van Voorhis,
Wachter,
Wadsworth,
Wagoner,
Warner,
Warnock,
Watson,
Weeks,
Woods,
Wright,
Young.

NAYS—79.

Allen, Ky.
Bankhead,
Bartlett,
Benton,
Billmeyer,
Bowie,
Breazeale,
Burlison,
Candler,
Cassingham,
Clark,
Clayton,
Cooney,
Cooper, Tex.
Cowherd,
Crowley,
Davey, La.
De Armond,
Dougherty,
Elliott,

Feely,
Fitzgerald,
Flood,
Gaines, Tenn.
Gooch,
Gordon,
Hay,
Howard,
Jackson, Kans.
Johnson,
Jones, Va.
Kern,
Kitchin, Claude
Kitchin, Wm. W.
Kluttz,
Lamb,
Latimer,
Lester,
Lever,
Lewis, Ga.

Little,
Livingston,
Lloyd,
McClellan,
Maddox,
Mahoney,
Maynard,
Miers, Ind.
Moon,
Mutchler,
Padgett,
Patterson, Tenn.
Randell, Tex.
Rhea,
Richardson, Ala.
Richardson, Tenn.
Robb,
Robertson, La.
Robinson, Ind.
Rucker,

Russell,
Ryan,
Selby,
Shackleford,
Shallenberger,
Sims,
Slayden,
Smith, Ky.
Snodgrass,
Snook,
Stark,
Swanson,
Thompson,
Trimble,
Underwood,
Vandiver,
White,
Williams, Ill.
Zenor.

ANSWERED "PRESENT"—9.

Adams,
Adamson,
Brundage,

Foster, Vt.
Joy,

Mann,
Sheppard,

Sherman,
Wiley.

NOT VOTING—119.

Acheson,
Babcock,
Ball, Del.
Ball, Tex.
Bell,
Bellamy,
Belmont,
Bingham,
Blakeney,
Brantley,
Brick,
Bristow,
Broussard,
Burgess,
Burk, Pa.
Burnett,
Calderhead,
Caldwell,
Cannon,
Cochran,
Conry,
Cousins,
Creamer,
Curtis,
Davis, Fla.
Dayton,
Dinsmore,
Douglas,
Driscoll,
Dwight,

Edwards,
Emerson,
Finley,
Flanagan,
Fleming,
Foss,
Foster, Ill.
Fox,
Gardner, Mass.
Gilbert,
Gill,
Gillett, Mass.
Glass,
Glenn,
Goldfogle,
Green, Pa.
Griffith,
Griggs,
Hanbury,
Haskins,
Heatwole,
Hemenway,
Henry, Miss.
Henry, Tex.
Hitt,
Hooker,
Hughes,
Jack,
Jett,
Kehoe,

Kleberg,
Knox,
Lassiter,
Lawrence,
Lindsay,
McAndrews,
McCulloch,
McDermott,
McLachlan,
McLain,
McRae,
Mercer,
Metcalf,
Meyer, La.
Mickey,
Minor,
Morrell,
Naphen,
Neville,
Nevin,
Newlands,
Norton,
Olmsted,
Pierce,
Pou,
Powers, Me.
Prince,
Pugsley,
Ransdell, La.
Reeves,

Reid,
Rixey,
Robinson, Nebr.
Ruppert,
Scarborough,
Shafroth,
Shelden,
Sibley,
Skiles,
Small,
Sparkman,
Spight,
Stephens, Tex.
Stewart, N. J.
Stewart, N. Y.
Sulzer,
Sutherland,
Swann,
Talbert,
Tate,
Taylor, Ala.
Thayer,
Thomas, N. C.
Vreeland,
Wanger,
Wheeler,
Williams, Miss.
Wilson,
Wooten.

So the previous question was ordered.

The following additional pair was announced:

Mr. ACHESON with Mr. GOLDFOGLE.

The result of the vote was then announced as above recorded.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. PLATT, one of its clerks, announced that the Senate had passed with amendments bill of the following title in which the concurrence of the House of Representatives was requested:

An act (H. R. 12199) to regulate the immigration of aliens into the United States.

RECESS.

Mr. RICHARDSON of Tennessee. I desire to make a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. RICHARDSON of Tennessee. Does the present occupant of the chair hold that this motion for a recess to a specific hour takes precedence over a motion to adjourn?

The SPEAKER pro tempore. Under the rule adopted by the House, it does.

Mr. RICHARDSON of Tennessee. Then, a second question. If we vote down the motion to take a recess, will a motion to adjourn be in order?

The SPEAKER pro tempore. If the motion is voted down, the Chair will answer the question.

Mr. RICHARDSON of Tennessee. I hope it will be voted down.

The SPEAKER pro tempore. The question is on the motion of the gentleman from New York, to take a recess until 11 o'clock to-morrow.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. RICHARDSON of Tennessee. Division.

Mr. PAYNE. Mr. Speaker, I ask for the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 167, nays 53, answered "present" 8, not voting 123; as follows:

YEAS—167.

Adamson,
Alexander,
Allen, Me.
Aplin,
Bankhead,
Barney,
Bartholdt,
Bates,
Beidler,
Bishop,
Blackburn,
Boring,
Boutell,
Bowersock,
Brandegge,
Brick,
Bromwell,
Brown,
Brownlow,
Burk, Pa.
Burke, S. Dak.
Burkett,
Burleigh,
Butler,
Candler,
Capron,
Cassel,
Clayton,
Connell,
Conner,
Cooper, Wis.
Corliss,
Cromer,
Crumacker,
Currier,
Cushman,
Dahle,
Dalzell,
Darragh,
Davidson,
Deemer,
Dick,

Dovener,
Draper,
Dwight,
Eddy,
Elliott,
Evans,
Fletcher,
Foerderer,
Fordney,
Gaines, W. Va.
Gardner, Mich.
Gardner, N. J.
Gibson,
Gillett, N. Y.
Gillett, Mass.
Graff,
Graham,
Greene, Mass.
Grosvenor,
Grow,
Hamilton,
Haugen,
Hedge,
Henry, Conn.
Heptburn,
Hildebrandt,
Hill,
Holliday,
Howard,
Howell,
Hughes,
Hull,
Irwin,
Jackson, Md.
Jenkins,
Jones, Wash.
Joy,
Kahn,
Kitchin, Claude
Kluttz,
Knapp,

Kyle,
Lacey,
Landis,
Latimer,
Lawrence,
Lessler,
Lever,
Lewis, Pa.
Littauer,
Littlefield,
Loud,
Lovering,
McCall,
McCleary,
McLachlan,
Mahon,
Martin,
Mercer,
Miller,
Minor,
Mondell,
Moody,
Morgan,
Morrell,
Morris,
Moss,
Mudd,
Needham,
Nevin,
Olmsted,
Otjen,
Overstreet,
Palmer,
Parker,
Patterson, Pa.
Payne,
Pearre,
Perkins,
Powers, Mass.
Reeder,
Reeves,
Richardson, Ala.

Roberts,
Russell,
Schirm,
Scott,
Shattuc,
Showalter,
Sibley,
Smith, Ill.
Smith, Iowa
Smith, H. C.
Smith, S. W.
Smith, Wm. Alden
Snodgrass,
Southard,
Southwick,
Sperry,
Stark,
Steele,
Stephens, Tex.
Stevens, Minn.
Storm,
Sulloway,
Swanson,
Taylor, Ohio
Thomas, Iowa
Tirrell,
Tompkins, Ohio
Trimble,
Van Voorhis,
Vreeland,
Wachter,
Wadsworth,
Wagoner,
Wanger,
Warner,
Warnock,
Watson,
Weeks,
White,
Wright,
Young.

NAYS—53.

Allen, Ky.
Bartlett,
Benton,
Bowie,
Brundage,
Burlison,
Cassingham,
Clark,
Cowherd,
Crowley,
Davey, La.
De Armond,
Dougherty,
Feely,

Fitzgerald,
Flanagan,
Fleming,
Gaines, Tenn.
Gooch,
Gordon,
Johnson,
Jones, Va.
Kern,
Kitchin, Wm. W.
Lester,
Lewis, Ga.
Lloyd,
McAndrews,

McClellan,
McCulloch,
Mahoney,
Maynard,
Miers, Ind.
Moon,
Newlands,
Pou,
Randell, Tex.
Rhea,
Richardson, Tenn.
Robb,
Robertson, La.
Robinson, Ind.

Ryan,
Selby,
Shackleford,
Shallenberger,
Sims,
Slayden,
Smith, Ky.
Snook,
Thompson,
Underwood,
Zenor.

ANSWERED "PRESENT"—8.

Adams,
Burgess,

Cochran,
Emerson,

Foster, Vt.
Mann,

Sherman,
Sutherland.

NOT VOTING—123.

Acheson,
Babcock,
Ball, Del.
Ball, Tex.
Bell,
Bellamy,
Belmont,
Bingham,
Blakeney,
Brantley,
Breazeale,
Bristow,
Broussard,
Bull,
Burnett,
Burton,
Calderhead,
Caldwell,
Cannon,
Cochran,
Conry,
Cousins,
Creamer,
Curtis,
Davis, Fla.
Dayton,
Dinsmore,
Douglas,

Driscoll,
Edwards,
Finley,
Flood,
Foss,
Foster, Ill.
Fowler,
Fox,
Gardner, Mass.
Gilbert,
Gill,
Glass,
Glenn,
Goldfogle,
Green, Pa.
Griffith,
Griggs,
Hanbury,
Haskins,
Hay,
Heatwole,
Hemenway,
Henry, Miss.
Henry, Tex.
Hitt,
Hooker,
Hopkins,
Jack,
Jackson, Kans.
Jett,
Kehoe,

Ketcham,
Kleberg,
Knox,
Lamb,
Lassiter,
Lindsay,
Little,
Livingston,
Long,
Loudenslager,
McDermott,
McLain,
McRae,
Maddox,
Marshall,
Metcalf,
Meyer, La.
Mickey,
Mutchler,
Naphen,
Neville,
Norton,
Padgett,
Patterson, Tenn.
Pierce,
Powers, Me.
Prince,
Pugsley,
Ransdell, La.
Reid,
Rixey,

Robinson, Nebr.
Rucker,
Ruppert,
Scarborough,
Shafroth,
Shelden,
Sheppard,
Skiles,
Small,
Sparkman,
Spight,
Stewart, N. J.
Stewart, N. Y.
Sulzer,
Swann,
Talbert,
Tate,
Tawney,
Taylor, Ala.
Thayer,
Thomas, N. C.
Tompkins, N. Y.
Vandiver,
Wheeler,
Wiley,
Williams, Ill.
Williams, Miss.
Wilson,
Woods,
Wooten.

So the motion was agreed to.
The SPEAKER pro tempore. Pending the announcement of the vote, the Chair announces the signature of the Speaker to the following enrolled bills:

H. R. 15804. An act making appropriations for the current and contingent expenses of the Indian Department and for fulfilling treaty stipulations with various Indian tribes for the fiscal year ending June 30, 1904, and for other purposes;

H. R. 15243. An act to authorize the President of the United States to appoint Kensey J. Hampton captain and quartermaster in the Army;

H. R. 14384. An act to establish a life-saving station at the mouth of Black River, at or near the city of Lorain, in the State of Ohio;

H. R. 16656. An act regulating the importation of breeding animals;

S. 5437. An act to authorize the settlement of the accounts of officers of the Army; and

S. 3560. An act to amend an act entitled "An act to promote the safety of employees and travelers upon railroads by compelling common carriers engaged in interstate commerce to equip their cars with automatic couplers and continuous brakes and their locomotives with driving-wheel brakes, and for other purposes," approved March 2, 1893, and amended April 1, 1896.

The result of the vote was then announced as above recorded. Accordingly (at 3 o'clock and 53 minutes p. m.) the House was declared in recess until 11 o'clock to-morrow, Monday, morning.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the several Calendars therein named, as follows:

Mr. GROSVENOR, from the Committee on Ways and Means, to which was referred the bill of the House (H. R. 7172) to establish Dayton, in the State of Ohio, as a subport of entry, and to extend the privileges of the act approved June 10, 1880, to the port of Dayton, in the State of Ohio, reported the same with amendments, accompanied by a report (No. 3888); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. FOWLER, from the Committee on Banking and Currency, to which was referred the bill of the House (H. R. 17539) providing for the issue and circulation of national-bank notes, for the safe-keeping of public money, and for other purposes, reported the same without amendment, accompanied by a report (No. 3889); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS INTRODUCED.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred as follows:

By Mr. ACHESON: A bill (H. R. 17543) authorizing the Secretary of the Treasury to provide a post-office building at all cities or towns where first, second, and third class post-offices are located—to the Committee on Public Buildings and Grounds.

By Mr. SHATTUC: A resolution (H. Res. 475) for the consideration of H. R. 12199 and Senate amendments—to the Committee on Rules.

By Mr. DALZELL: A resolution (H. Res. 476) relating to joint resolutions to continue appropriations—to the Committee on Rules.

By Mr. FOWLER: A resolution (H. Res. 477) for the consideration of H. R. 17539—to the Committee on Rules.

By Mr. GIBSON: A resolution (H. Res. 478) relating to House pension bills with Senate amendments—to the Committee on Rules.

By Mr. DALZELL: A resolution (H. Res. 479) relating to conference reports—to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS INTRODUCED.

Under clause 1 of Rule XXII, private bills and resolutions of the following titles were introduced and severally referred as follows:

By Mr. GOOCH: A bill (H. R. 17544) for the relief of J. J. Robinson, of Carroll County, Ky.—to the Committee on War Claims.

Also, a bill (H. R. 17545) for the relief of J. W. Knox, of Galatin County, Ky.—to the Committee on War Claims.

SENATE.

MONDAY, March 2, 1903.

The Senate met at 11 o'clock a. m.

Prayer by Rev. F. J. PRETTYMAN, of the city of Washington.

The Secretary proceeded to read the Journal of the proceedings of Saturday last, when, on request of Mr. HOAR, and by unanimous consent, the further reading was dispensed with.

The PRESIDENT pro tempore. Without objection, the Journal will stand approved.

POSTAL RATE ON PERIODICALS.

The PRESIDENT pro tempore laid before the Senate a communication from the Postmaster-General, transmitting, in response to a resolution of the 24th ultimo, an estimate of the effect on the revenue of the Post-Office Department in case of the adoption of an amendment giving all periodicals the same rate and terms as that now given the weekly periodicals; which, with the accompanying papers, was referred to the Committee on Post-Offices and Post-Roads, and ordered to be printed.

INVESTIGATION BY INTERSTATE COMMERCE COMMISSION.

The PRESIDENT pro tempore laid before the Senate a communication from the Interstate Commerce Commission transmitting, in response to a resolution of June 24, 1902, certain information relative to the rates filed with the Commission by common carriers subject to the act to regulate commerce now in force on import and domestic traffic of like kind carried from various States in the United States to interior points of destination which show material differences, etc.; which, with the accompanying papers, was referred to the Committee on Interstate Commerce, and ordered to be printed.

DAUGHTERS OF THE AMERICAN REVOLUTION.

The PRESIDENT pro tempore laid before the Senate the Fifth Annual Report of the National Society of the Daughters of the American Revolution; which was referred to the Committee on Printing, and ordered to be printed.

JAMES DEITRICK.

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of the Treasury, transmitting a letter from the Secretary of the Interior, submitting an estimate of appropriation for payment to James Deitrick for rent of land office at Peavey, Alaska, and for supplies furnished that office, etc., \$1,620.32; which, with the accompanying paper, was referred to the Committee on Appropriations, and ordered to be printed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 16842) making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1904, and for other purposes.

The message also announced that the House had passed with amendments the bill (S. 7414) to increase the limit of cost of certain public buildings, to authorize the purchase of sites for public buildings, to authorize the erection and completion of public buildings, and for other purposes, in which it requested the concurrence of the Senate.

The message further announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 12098) to amend section 1 of the act of Congress approved May 14, 1898, entitled "An act extending the homestead laws and providing for a right of way for railroads in the district of Alaska."

ENROLLED BILLS SIGNED.

The message also announced that the Speaker of the House had signed the following enrolled bills; and they were thereupon signed by the President pro tempore:

A bill (S. 3560) to amend an act entitled "An act to promote the safety of employees and travelers upon railroads by compelling common carriers engaged in interstate commerce to equip their cars with automatic couplers and continuous brakes and their locomotives with driving-wheel brakes, and for other purposes," approved March 2, 1893, and amended April 1, 1896;

A bill (S. 5437) to authorize the settlement of the accounts of officers of the Army;

A bill (S. 6139) amending the civil code of Alaska, providing for the organization of private corporations, and for other purposes;

A bill (H. R. 14384) to establish a life-saving station at the